

TEXAS ETHICS COMMISSION

P.O. Box 12070, Capitol Station
Austin, Texas 78711-2070

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June 18, 2015

Juan J. "Chuy" Hinojosa

**RE: Notice of Reporting Error
SC-31210287
(Juan J. "Chuy" Hinojosa, Respondent)**

Dear Senator Hinojosa:

The Texas Ethics Commission (commission) met on June 11, 2015, to consider SC-31210287. A quorum of the commission was present. **The Commission determined that there is credible evidence of a reporting error that does not materially defeat the purpose of disclosure.** To resolve and settle this case without further proceedings, the commission proposed this Notice of Reporting Error Agreement (agreement).

The commission **found credible evidence** that:

1. The respondent did not properly disclose the purpose of political expenditures as required by section 254.031(a)(3) of the Election Code.
2. The respondent did not properly maintain records related to mileage reimbursements from his political funds as required by section 254.001(a) of the Election Code.

Credible evidence available to the commission supports the following findings of fact and conclusions of law:

1. It was contended that the respondent, a state senator, did not properly disclose the purpose of approximately \$500 of political expenditures on his January 2010 semiannual report and approximately \$2,210 of political expenditures on his July 2010 semiannual report. The reports disclosed the purpose of the expenditures at issue as "fuel." The respondent's records disclose that the expenditures for fuel were for reimbursements to staff persons. The purpose of the expenditures as disclosed by the respondent did not sufficiently indicate whether the expenditures were made to purchase fuel directly or whether the expenditures were made to reimburse for fuel previously purchased. **Therefore, there is credible evidence of noncompliance with section 254.031(a)(3) of the Election Code.**
2. It was contended that the respondent did not maintain records of mileage for which reimbursements were made. The respondent reimbursed himself approximately \$11,540 for

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mileage that he drove for political purposes using his personal vehicle. The evidence indicates that the respondent did not maintain records of the miles that he drove using his personal vehicle and for which he was reimbursed from his political funds. **Therefore, there is credible evidence of noncompliance with section 254.001(a) of the Election Code.**

By signing this agreement and returning it to the commission:

1. You consent to this agreement.
2. You accept the determinations made by the commission in this agreement.
3. You waive any right to further proceedings in this matter.
4. You understand and agree that the commission will consider this agreement in any future proceedings against you.
5. You acknowledge that:

A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 (\$50 before September 28, 2011) and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures.

Each candidate and each officeholder shall maintain a record of all reportable activity.

You agree to comply with these requirements of the law.

This agreement describes reporting errors that the commission has determined are neither technical nor *de minimis*. Accordingly, this agreement is not confidential under section 571.140 of the Government Code.

The respondent agrees to tender a \$500 assessment fee to the commission.

This agreement is a final and complete resolution of SC-31210287.

Juan J. "Chuy" Hinojosa, Respondent

Date signed by Respondent

Executed original agreement received by the commission on: _____.

Texas Ethics Commission

By: _____
Natalia Luna Ashley, Executive Director